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REMARKS

Applicant has carefully reviewed the Office Action dated March 15, 2004. Applicant has amended Claim 1 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

The Examiner has rejected Claim 1 under 35 U.S.C. § 112, as failing to comply with the enabling requirement. The Examiner has objected to the language that states that "all of the functionality to both scan and effect a connection is contained within said housing." In general, the amended Claim 1 is believed to clarify this in that the step of effecting a connection is functionally performed by the optical reader in that the optical reader has the ability to utilize the web enable capabilities of the phone that allows the phone or wireless communication device to communicate with the GCN. Once communication with the GCN is effected, then the optical reader provides the ability to connect to a location. This functionality is provided separately by the battery pack and is functionally separate from the phone and the communication capabilities thereof. All the phone provides is the ability to connect over the GCN to some location, but a user has to manually input routing information therein. By providing routing information and data associated with that routing information to the GCN, data can be routed to a location and data received back from the location. As such, Applicant believes that the claims now overcome the 35 U.S.C. § 112 rejection with respect thereto, the withdrawal of which is respectfully requested.

Claims 1-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Swartz et al.* in view of *Wilz, Sr. et al.* This rejection is respectfully traversed.

The Examiner has utilized the *Swartz* reference to provide for a battery housing or battery pack that has enclosed therein a scanner module that is operable to scan information and transmit that scanned information to the phone for use therein. As Applicant noted in the previous response, the functionality provided in the scanner module does not allow a connection to be made to a remote location on the web based upon the information in the scanned bar code. Even though there may be a processor associated

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with the phone, this processor does not have a functionality associated therewith to facilitate connection to a remote site on a network by receiving information decoded from a bar code. It is only when the processing capability of the optical reader is associated with the battery pack that data can be generated in the form of a routing packet that includes routing information and data, and this information routed to the phone and then through the GCN. All that is required is the GCN connection to the GCN. It is the combination of a battery pack with one functionality in association with a communication device with another functionality, i.e., web connectivity, that allows such an operation to be done, wherein the scanning and routing functionalities provided in a separate battery pack both provides power to the phone and provides the decoding and packet generation functionality. This is not disclosed in *Swartz*. The Examiner has utilized the *Wilz* reference in combination with the *Swartz* reference to cure this deficiency in *Swartz*. Applicant believes that the *Wilz* reference is nothing more than representative of other art that allows an optical scanner to scan an optical code, utilize the information in an optical code to connect a user PC to a remote location on the network. This information in the bar code can either be the actual embedded URL or it can be a manufacturer's code that could be forwarded to a remote site at which a relational database is stored for the corresponding URL on the web. An associated URL is then returned back to the user PC. However, *Wilz* does not disclose that the functionality for this could be stored in a separate housing apart from the communication housing and that separate housing is powered by the battery and is also utilized to power the communication device. As such, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103 rejection with respect to Claims 1-5.

Claims 6-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Swartz et al.* in view of *Wilz, Sr. et al.* and in view of *Friel et al.* This rejection is respectfully traversed with respect to the amended claim.

As noted hereinabove, Applicant believes that *Swartz et al.* and *Wilz* does not anticipate or obviate Claim 1, taken singularly or in combination. As such, these Claims are dependent and, therefore, the addition of the *Friel et al.* reference does not cure the deficiencies noted hereinabove with respect to the combination of *Swartz* and *Wilz*. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection with respect to Claims 6-15.

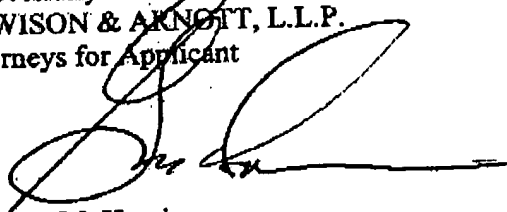
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Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-25,372 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,  
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